

AMENDED IN ASSEMBLY AUGUST 13, 2013

AMENDED IN SENATE MAY 15, 2013

AMENDED IN SENATE APRIL 1, 2013

SENATE BILL

No. 684

Introduced by Senator Hill

February 22, 2013

An act to amend Section 5273 of the Business and Professions Code, relating to advertising displays, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 684, as amended, Hill. Advertising displays: redevelopment agency project areas.

Existing law, the Outdoor Advertising Act, provides for the regulation by the Department of Transportation of advertising displays, as defined, within view of public highways. The act regulates the placement of off-premises advertising displays along highways that generally advertise business conducted or services rendered or goods produced or sold at a location other than the property upon which the display is located. Under the act, advertising displays advertising businesses and activities within the boundary limits of, and as a part of, an individual redevelopment agency project may, with the consent of the redevelopment agency governing the project, be considered to be on premises, as specified. A violation of these provisions is a misdemeanor.

The Community Redevelopment Law authorizes the establishment of redevelopment agencies in communities to address the effects of blight, as defined. Existing law dissolved redevelopment agencies and

community development agencies, as of February 1, 2012, and provides for the designation of successor agencies.

This bill would provide that an advertising display advertising businesses and activities within the boundary limits of, and as a part of, an individual redevelopment agency project, as the project boundaries existed on December 29, 2011, may continue to exist and be considered an on-premises display, until January 1, 2023, if the advertising display meets specified criteria. This bill would authorize, on and after January 1, 2022, the designated agency to request from the department an extension beyond January 1, 2023, not to exceed the expiration of the redevelopment project area. By imposing new conditions on a redevelopment project advertising display to remain lawfully erected, a violation of which would constitute a misdemeanor, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.

State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 5273 of the Business and Professions
- 2 Code is amended to read:
- 3 5273. (a) Notwithstanding the dissolution of a state
- 4 redevelopment agency, and subject to subdivision (b), for purposes
- 5 of this chapter, an advertising display advertising the businesses
- 6 and activities developed within the boundary limits of, and as a
- 7 part of, an individual redevelopment agency project, as those
- 8 boundaries existed on December 29, 2011, may continue to exist
- 9 and be considered an on-premises display, as defined in Section
- 10 5490, if the advertising display meets all of the following
- 11 conditions:
- 12 (1) The advertising display is located within the boundary limits
- 13 of the project.

1 (2) The advertising display was constructed, was under
2 construction, or had been approved for construction by the
3 designated agency of the project on or before January 1, 2012.

4 (3) The advertising display does not cause the reduction of
5 federal aid highway funds provided pursuant to Section 131 of
6 Title 23 of the United States Code.

7 (b) An advertising display described in subdivision (a) may
8 continue to exist until January 1, 2023, after which Sections 5272,
9 5274, and 5405 apply. On and after January 1, 2022, the designated
10 agency may for good cause request from the department an
11 extension beyond January 1, 2023, not to exceed the expiration of
12 the redevelopment project area.

13 (c) The designated agency shall be responsible for ensuring that
14 an advertising display is consistent with this section and provides
15 a public benefit. *This provision shall not be construed to preclude*
16 *any enforcement authority of the department under this chapter.*

17 SEC. 2. No reimbursement is required by this act pursuant to
18 Section 6 of Article XIII B of the California Constitution because
19 the only costs that may be incurred by a local agency or school
20 district will be incurred because this act creates a new crime or
21 infraction, eliminates a crime or infraction, or changes the penalty
22 for a crime or infraction, within the meaning of Section 17556 of
23 the Government Code, or changes the definition of a crime within
24 the meaning of Section 6 of Article XIII B of the California
25 Constitution.

26 SEC. 3. This act is an urgency statute necessary for the
27 immediate preservation of the public peace, health, or safety within
28 the meaning of Article IV of the Constitution and shall go into
29 immediate effect. The facts constituting the necessity are:

30 As of February 1, 2012, redevelopment agencies have been
31 dissolved and designated successor agencies have been vested with
32 all authority, rights, powers, duties, and obligations previously
33 vested in the former redevelopment agencies, including projects
34 addressing blight in communities. In order that advertising displays
35 can continue to exist within the redevelopment agency projects,
36 and help to fight blight in an affected community, it is necessary
37 that this act take effect immediately.